

December 7, 2023

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VIA ECF

The Honorable David G. Estudillo
United States District Judge
U.S. District Court for the Western District of Washington
United States Courthouse
1717 Pacific Avenue, Suite 4410
Tacoma, WA 98402-3200

Re: *Osure Brown v. Transworld Systems, Inc., et al.*, Case No. 2:20-CV-00669

Dear Judge Estudillo:

The parties write jointly to provide an update concerning the Court's request for a joint status report regarding a trial date, pursuant to this Court's order dated November 20, 2023 (ECF 140).

During the past several months, the Parties have met and conferred on multiple occasions on how to potentially streamline and resolve the related pending matters to reduce burdens and work for the Court and the parties alike. To that end the Parties have agreed in principle to file a stipulated motion to consolidate (the "Consolidation Motion") two cases currently pending in this Court: *Osure Brown v. Transworld Systems, Inc.* (No. 2:20-CV-00669) ("*O. Brown*") and *Tommy Brown v. Transworld Systems, Inc.* (No. 2:20-CV-00680) ("*T. Brown*"). The Parties believe that consolidation is appropriate at this time because bankruptcy-related claims in *O. Brown* have been dismissed, and those dismissals have been affirmed by the Ninth Circuit. The remaining claims in each putative class action case relate to alleged actions undertaken to collect on the same ten student loans for the Plaintiff in *O. Brown* (who is the primary borrower) and the Plaintiff in *T. Brown* (who is the co-borrower). The parties also believe that consolidation will result in substantial efficiencies in regard to streamlining discovery, motions practice, and the time and cost to the parties and preservation of Court resources.

The parties request until January 8, 2024 to file the stipulated Consolidation Motion in the appropriate case, which shall include a proposed schedule for Plaintiffs to file a consolidated complaint, Defendants' responses to the same, revised discovery deadlines, and proposed dates for class certification motions and potential motions concerning loan ownership (as currently contemplated in *T. Brown*). Therefore, in the interest of efficiency for both the parties and the Court, the parties jointly request the Court postpone the request for a joint status report regarding the trial date in ECF 140 and suspend the deadlines relating to motion to dismiss briefing and

answers to the Second Amended Complaint as set forth in the Court's Order on Stipulated Motion Regarding Pending Motion to File Second Amended Complaint, Pending Motion to Dismiss, and Future Briefing Schedule. (ECF 138). A proposed order is attached.

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